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DATE FILED: August 4, 2017

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

NEW RISE BRAND HOLDINGS, LLC,

Plaintiff,

Case No. 17-CV-2780 (PAC)(GWG)

٧.

BURLINGTON MERCHANDISING CORP. and BURLINGTON STORES, INC.,

Defendants.

X

X

STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE

Plaintiff New Rise Brand Holdings, LLC ("Plaintiff"), by and through its counsel and pursuant to F.R.C.P. 41(a)(1)(A)(ii), and with the stipulation of counsel for Defendants Burlington Merchandising Corp. and Burlington Stores, Inc. ("Defendants"), hereby dismisses with prejudice Plaintiff's claims and causes of action against Defendants, each party to bear its own costs.

New York, New York Dated: July 19, 2017

AMSTER, ROTHSTEIN & EBENSTEIN LLP

and A Citty

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Attorneys for Defendants

SO ORDERED:

8/4/2017

U.S.D.J.

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